

Bradley T. Hunsicker (Wyo. Bar 7-4579)  
**MARKUS WILLIAMS YOUNG & ZIMMERMANN LLC**  
106 East Lincolnway, Suite 300  
Cheyenne, WY 82001  
Telephone: 307-778-8178  
[bhunsicker@markuswilliams.com](mailto:bhunsicker@markuswilliams.com)

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF WYOMING**

In re: ) Chapter 11  
)  
POWELL VALLEY HEALTH CARE, INC., ) Case No. 16-20326  
)  
Debtor-in-Possession. )

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**AGREED MOTION TO VACATE AND CONTINUE HEARINGS ON  
PENDING MATTERS**

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Powell Valley Health Care, Inc. (“PVHC”, or the “Debtor”), the debtor and debtor in possession in the above captioned case, hereby files this motion to vacate and continue the following matters set for hearing on September 26, 2017, beginning at 10:30 a.m.:

- i. Debtor’s *Motion of the Debtor for Authorization to Conduct Rule 2004 Examination of the Malpractice Insurance Companies* (the “Motion for 2004 Exam”) [Doc. 353], the *Insurance Companies’ Joint Opposition to Motion for Authorization to Conduct Rule 2004 Examination and Request to be Heard* [Doc. 359] filed by UMIA Insurance, Inc. (“UMIA”), Lexington Insurance Company (“Lexington”), and Homeland Insurance Company of New York (“Homeland”) (collectively, the “Insurance Companies”), and the *Joinder to Motion of the Debtor for Authorization to Conduct Rule 2004 Examination of the Malpractice Insurance Companies*

*and Joinder to Response to Insurance Companies' Joint Opposition to Motion for Authorization to Conduct Rule 2004 Examination and Request to be Heard* [Doc. 368] filed by the Official Committee of Unsecured Creditors (the "Committee");

- ii. Debtor's *Motion for Entry of an Order (I) Authorizing the Debtor to Assume Unexpired Non-Residential Real Property Leases Pursuant to Section 365 of the Bankruptcy Code and Bankruptcy Rule 6006 and (II) Establishing Cure Amount* (the "Assumption Motion") [Doc. 248], and the *Objection to Motion for Entry of an Order (I) Authorizing the Debtor to Assume Unexpired Non-Residential Real Property Leases Pursuant to Section 365 of the Bankruptcy Code and Bankruptcy Rule 6006 and (II) Establishing Cure Amount, and Request for Evidentiary Hearing* [Doc. 292] filed by the Committee;
- iii. Insurance Companies' *Joint Motion for Relief from Automatic Stay to Permit Prepetition Litigation to Continue in the United States District Court for the District of Wyoming* (the "Insurance Stay Relief Motion") [Doc. 354], the objection filed by the Debtor [Doc. 373], and the joinder in the Debtor's objection filed by the Committee [Doc. 374]; and,
- iv. Committee's *Application for Order Authorizing Retention of EisnerAmper, LLP as Accountant and Financial Advisor to the Official Committee of Unsecured Creditors* (the "Committee Application to Retain FA") [Doc.

349], the Debtor's objection [Doc. 357], the Powell Hospital District's objection [Doc. 362], and First Bank of Wyoming's objection [Doc. 370].

The Motion for 2004 Exam, the Assumption Motion, the Insurance Stay Relief Motion and the Committee Application to Retain FA shall collectively be referred to herein as the "Pending Matters". In support of this motion, PVHC states as follows:

1. The Debtor has filed its proposed Disclosure Statement, Plan and Plan-related documents (the "Plan Documents"). At this juncture, the Debtor is compiling and considering various proposed revisions to the Plan Documents from parties in this case and anticipates making various revisions to the Plan Documents (and will file the same with the Court) on or around September 26, 2017, the current date set for hearings on the Pending Matters.

2. The Debtor believes that the interests of all parties would be better served if the Debtor could focus its attention on finalizing revisions to the Plan Documents in hopes of reaching consensual resolution of all pending matters related thereto (which would likely include consensual resolution of the Pending Matters), rather than spending time preparing to argue the Pending Matters.

3. Accordingly, the Debtor requests that the hearing on the Pending Matters be continued for two weeks, and set for October 10, 2017. The two-week continuance will ensure that the Plan Documents can be revised appropriately, and at the same time, will ensure that the Plan confirmation process is not unnecessarily delayed. The Debtor will file a companion motion to discuss the current hearing and related deadlines associated with the approval of the Debtor's Disclosure Statement.

4. The Committee, the Powell Hospital District, First Bank of Wyoming and the Insurance Companies have indicated that they do not oppose the relief requested herein.

**WHEREFORE**, the Debtor respectfully requests the Court enter an order substantially in the form attached hereto at Exhibit A vacating and continuing the hearings on the Pending Matters until October 10, 2017.

Dated: September 15, 2017.

**MARKUS WILLIAMS YOUNG &  
ZIMMERMANN LLC**

By: /s/ Bradley T. Hunsicker  
Bradley T. Hunsicker (WY Bar No 7-4579)  
106 East Lincolnway, Suite 300  
Cheyenne, WY 82001  
Telephone: 307-778-8178  
Facsimile: 307-638-1975  
Email: [bhunsicker@markuswilliams.com](mailto:bhunsicker@markuswilliams.com)

Counsel for the Debtor and Debtor-in-Possession

**CERTIFICATE OF SERVICE**

The undersigned certifies that on September 15, 2017, a copy of the foregoing was served *electronically* upon those parties indicated below:

**UMIA Insurance, Inc.:**

c/o James T. Burghardt  
Timothy M. Swanson  
Moye White LLP  
1400 16th St., 6th Floor  
Denver, CO 80202  
[jim.burghardt@moyewhite.com](mailto:jim.burghardt@moyewhite.com)  
[tim.swanson@moyewhite.com](mailto:tim.swanson@moyewhite.com)

c/o Julie Nye Tiedeken  
McKellar, Tiedeken & Scoggin, LLC  
702 Randall Avenue  
P.O. Box 748  
Cheyenne, WY 82003  
[jtiedeken@mtslegal.net](mailto:jtiedeken@mtslegal.net)

**Homeland Insurance Company of NY:**

Judith Studer  
Patrick T. Holscher  
Schwartz, Bon, Walker & Studer, LLC  
141 S. Center St., Suite 500  
Casper, WY 82601  
(307) 235-6681  
(307) 234-5099 Fax  
[jstuder@schwartzon.com](mailto:jstuder@schwartzon.com)  
[pat@schwartzbon.com](mailto:pat@schwartzbon.com)

Charles E. Spevacek  
Tiffany M. Brown  
Meagher & Geer, P.L.L.P.  
33 S. Sixth Street, Suite 4400  
Minneapolis, MN 55402  
Ph: (612) 371-1324  
Fax: (612) 877-3015  
[cspevacek@meagher.com](mailto:cspevacek@meagher.com)  
[tbrown@meagher.com](mailto:tbrown@meagher.com)

**Lexington Insurance Company, Inc.:**

Deborah M. Kellam  
Hall & Evans, L.L.C.  
2015 Central Ave., Suite C  
Cheyenne, WY 82001  
[kellamd@hallevans.com](mailto:kellamd@hallevans.com)

Michael S. Davis  
Bryan D. Leinbach  
**ZEICHNER ELLMAN & KRAUSE  
LLP**  
1211 Avenue of the Americas  
New York, NY 10036  
Tel: (212) 223-0400  
Fax: (212) 753-0396

[mdavis@zeklaw.com](mailto:mdavis@zeklaw.com)  
[bleinbach@zeklaw.com](mailto:bleinbach@zeklaw.com)

**Attorneys for Official Committee of  
Unsecured Creditors:**

Scott J. Goldstein  
Philip A. Pearlman  
Jamie N. Cotter  
Spencer Fane  
1000 Walnut Street, Suite 1400  
Kansas City, MO 64106  
1700 Lincoln Street, Suite 2000  
Denver, CO 80203  
[sgoldstein@spencerfane.com](mailto:sgoldstein@spencerfane.com)  
[jcotter@spencerfane.com](mailto:jcotter@spencerfane.com)  
[ppearlman@spencerfane.com](mailto:ppearlman@spencerfane.com)

**Powell Hospital District:**

Brent R. Cohen  
Chad S. Caby  
Lewis Roca Rothgerber LLP  
1200 17<sup>th</sup> Street, Suite 3000  
Denver, CO 80202-5855  
[ccaby@lrrc.com](mailto:ccaby@lrrc.com)  
[bcohen@lrrc.com](mailto:bcohen@lrrc.com)

**First Bank of Wyoming:**

Timothy L. Woznick  
Dray, Dyekman, Reed & Healey, P.C.  
204 East 22nd Street  
Cheyenne, Wyoming 82001  
[Tim.Woznick@draylaw.com](mailto:Tim.Woznick@draylaw.com)

/s/Bradley T. Hunsicker

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